

Darren T. Brenner, Esq.  
Nevada Bar No. 8386  
Lindsay D. Dragon, Esq.  
Nevada Bar No. 13474  
1 7785 W. Sahara Ave., Suite 200  
2 Las Vegas, NV 89117  
(702) 475-7964; Fax: (702) 946-1345  
3 dbrenner@wrightlegal.net

4

5

6 ldragon@wrightlegal.net

7 *Attorneys for Plaintiff, Christiana Trust, a Division of Wilmington Savings Fund Society, FSB,*  
*not in its Individual Capacity but as Trustee of ARLP Trust 3*

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9 **UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

10 CHRISTIANA TRUST, A DIVISION OF  
11 WILMINGTON SAVINGS FUND  
12 SOCIETY, FSB, NOT IN ITS INDIVIDUAL  
13 CAPACITY BUT AS TRUSTEE OF ARLP  
14 TRUST 3,

15 Plaintiff,

16 vs.

17 TICOR TITLE INSURANCE COMPANY;  
18 CHICAGO TITLE INSURANCE  
COMPANY; and FIDELITY NATIONAL  
TITLE INSURANCE COMPANY

19 Defendant.

20 Case No.: 2:20-cv-00115-KJD-DJA

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22 **STIPULATION TO 1) LIFT STAY, 2)  
AMEND COMPLAINT AND 3) SET  
RESPONSE DEADLINES**

23 Plaintiff, Christiana Trust, a Division of Wilmington Savings Fund Society, FSB, not in  
24 its Individual Capacity but as Trustee of ARLP Trust 3 (“Christiana Trust”), and Defendants Ticor  
25 Title Insurance Company, Chicago Title Insurance Company, and Fidelity National Title  
26 Insurance Company (collectively “Defendants,” and with Christiana Trust, the “Parties”), hereby  
27 submit the following Stipulation to lift the stay, amend the Complaint, and to set Defendants’  
28 response deadline pursuant to this Court’s Order [ECF No. 12]. The Parties, by and through their  
undersigned counsel, stipulate and agree as follows:<sup>1</sup>

1 The Parties submit this stipulation without waiver to request a further stay from this Court. There  
are currently several matters before this Court involving the same defendants, same counsel,

1       1. On January 16, 2020, Christiana Trust filed its Complaint against Defendants  
2 [ECF No. 1];

3       2. Thereafter, on February 10, 2020, the Court granted the Parties' Stipulation to Stay  
4 the instant action pending the appeal in *Wells Fargo Bank, N.A. v. Fidelity National Title Ins. Co.*,  
5 Ninth Cir. Case No. 19-17332 (District Court Case No. 3:19-cv-00241-MMD-WGZ) ("Wells  
6 *Fargo II*") [ECF No. 9];

7       3. On November 5, 2021, the Ninth Circuit issued its Memorandum Disposition in  
8 *Wells Fargo II*, vacating the district court's decision granting dismissal of Wells Fargo's claims  
9 and remanding for further proceedings. The mandate issued on November 29, 2021;

10      4. On April 27, 2022, this Court issued its Order requiring the Parties to file a  
11 stipulation to lift the stay, including deadlines for Christiana Trust to amend its Complaint [ECF  
12 No. 12];

13      5. The Parties hereby agree that the stay shall be lifted;

14      6. The Parties further agree that Christiana Trust shall have thirty (30) days from the  
15 entry of the order on this Stipulation to file its amended pleading;

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20 similar issues, with dispositive motions pending. See ECF Nos. 31 and 40 in *Deutsche Bank*  
21 *National Trust Company v. Fidelity National Title Group, Inc., et al.*, Case No. 2:21-cv-00192-  
22 KJD-NJK and ECF Nos. 56 and 70 in *Deutsche Bank National Trust Company v. Fidelity*  
23 *National Title Group, Inc., et al.*, Case No. 2:20-cv-01920-KJD-BNW. Additionally, the Parties  
24 to this action are actively engaged in discovery in dozens of matters that are pending within this  
25 jurisdiction, which may overlap and be duplicative of the discovery conducted in this case. To  
26 conserve resources, the Parties are currently evaluating whether this case would benefit from a  
27 further stay.

